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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

### Petitioner Information

Name	Alvogen IP Co S.a.r.l.		
Entity	Corporation	Citizenship	Luxembourg
Address	rue Erasme Luxembourg, L-2082 LUXEMBOURG		

Attorney information	Gregg A. Paradise Lerner, David, Littenberg, Krumholz & Mentlik, LLP 600 South Avenue West Westfield, NJ 07090 UNITED STATES gparadise@ldlkm.com,litigation@ldlkm.com Phone:908-518-6323
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### Registration Subject to Cancellation

Registration No	3127143	Registration date	08/08/2006
International Registration No.	NONE	International Registration Date	NONE
Registrant	SANOFI 174 avenue de France F-75013 PARIS  FRANCE		

### Goods/Services Subject to Cancellation

Class 005. All goods and services in the class are cancelled, namely: Pharmaceutical preparations, namely, medicines for the treatment of obesity, tobacco withdrawal, and for prevention of cardiovascular diseases; dietetic foods adapted for medical use; beverages for medical use, namely, nutritionally fortified beverages and vitamin fortified beverages; medicinal infusions in the nature of medicinal herbs
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### Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Petition for Cancellation.pdf ( 4 pages )(739803 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Gregg A. Paradise/
Name	Gregg A. Paradise
Date	02/07/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ALVOGEN IP CO S.A.R.L.,	:	
	:	Registration No. 3,127,143
Petitioner,	:	
	:	
v.	:	Mark: Mobius Triangle Device
	:	
	:	
SANOFI,	:	Cancellation No. _____
	:	
Respondent.	:	
_____	:	X

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**PETITION FOR CANCELLATION**

Petitioner Alvogen IP Co S.a.r.l. ("Petitioner"), requests cancellation of the above-identified Registration. The basis for cancellation is set forth below.

1. Petitioner is a Luxembourg Corporation with an address of rue Erasme Luxembourg L-2082 Luxembourg.

2. Upon information and belief, Registrant Sanofi ("Respondent"), is a French corporation with a business address of 174 avenue de France F-75013 Paris, France.

3. Petitioner is the owner of Trademark Application No. 77/939,659 for the mark "A" LOGO and Design in International Class 5 for "pharmaceutical preparations, namely, antibiotics, antidiabetics, antihypertensives, antidepressants, analgesics, anti-inflammatories, antivirals, and antiepileptics; transdermal patches for use in the treatment of infections, diabetes,

hypertension, depression, pain, inflammation, and epilepsy; and contraceptive sponges," and in International Class 42 for "pharmaceutical research services."

4. Respondent is the owner of U.S. Registration No. 3,127,143 (the "Mobius Triangle Device Registration") in International Class 5 for "pharmaceutical preparations, namely, medicines for the treatment of obesity, tobacco withdrawal, and for prevention of cardiovascular diseases; dietetic foods adapted for medical use; beverages for medical use, namely, nutritionally fortified beverages and vitamin fortified beverages; medicinal infusions in the nature of medicinal herbs."

5. Respondent's Mobius Triangle Device Registration is depicted as follows:



The mark is described as a "mobius triangle shape," claiming the color yellow, orange, and red as a feature of the mark.

6. On information and belief, Respondent has never used the mark depicted in the Mobius Triangle Device Registration in the United States in connection with the goods identified in paragraph 4 above.

7. Through Respondent's actions, and/or failures to use the mark in the United States, Respondent has abandoned all rights in and to the Mobius Triangle Device Registration. Therefore, Petitioner believes that Respondent's Registration should be cancelled due to abandonment pursuant to 15 U.S.C. § 1064(3).

8. Petitioner believes that it will be damaged by the continued existence of the above-identified Registration and hereby petitions to cancel the same.

9. Please charge the fee of \$300.00 for a petition to cancel the registration in one class to Deposit Account No. 12-1095. The undersigned is authorized to make charges to said deposit account.

WHEREFORE, Petitioner prays that Registration No. 3,127,143 be cancelled.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
*Attorneys for Petitioner Alvogen IP*  
*Co S.a.r.l.*  
600 South Avenue West  
Westfield, NJ 07090  
Tel.: 908.654.5000  
Fax: 908.654.7866

Dated: February 7, 2012

By:   
Gregg A. Paradise

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing PETITION FOR CANCELLATION was served on February 7, 2012, by first-class mail, postage prepaid, on Respondent's designated Domestic Representative, addressed as follows:

Susan Upton Douglass  
Fross Zelnick Lehrman & Zissu, P.C.  
866 United Nations Plaza  
New York, NY 10017

  
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Gregg A. Paradise